



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## SUGGESTIONS FROM LAW SCHOOL GRADUATES AS TO WHERE AND HOW TO BEGIN PRACTICE.

THE student about to graduate from law school is as a general rule very much at sea as to where and how he shall begin practice. He faces such questions as these: In what part of the country shall he settle? in a large city or in a small one? Shall he begin practice independently or with some firm? What may he expect to earn?

It was thought that it would aid or at least prove interesting to students trying to solve such questions if the experiences and suggestions of former graduates could be obtained. To this end a list of questions was sent out in 1912 by the Secretary of the Harvard Law School to all graduates of the preceding ten years. The more important of the questions asked were the following: 1. "What (as nearly as you can estimate it) have been your net earnings from law each year since graduation?" 2. "Have you any suggestions to offer to students about to graduate that might be helpful to them in deciding where to locate and under what conditions to begin practice?"

It was hoped that by tabulating the answers to the salary question in such a way as to show the earnings in various sections of the country some light might be thrown upon their relative advantages. The value of such a tabulation was not, however, as great as had been hoped owing to the small proportion of answers received. Out of the 1692 men questioned only 817, or about one half, answered the salary question. Of these 817 answers 123 could not be tabulated either because the men, instead of giving their earnings for each year, simply gave a lump sum for the whole period that they had been out, or because they merely described their earnings by some such adjective as "satisfactory," "sufficient," "little enough." Consequently the statistics are based upon only 694 answers or about 41 per cent of the men questioned. Under the circumstances one might naturally doubt whether the figures were fairly representative of the earnings of all the graduates. It might

for instance be supposed that perhaps the reason that the other 59 per cent did not answer was because their earnings were so small as to make them take the attitude of "the less said about them the better." If this supposition were correct the figures based upon the answers received would, instead of representing what the average graduate might expect to earn, merely represent what a few successful graduates have been earning and would give altogether too roseate a view of the situation. That the foregoing supposition is not correct seems, however, to be shown by the fact that many answers received were from men whose earnings were next to nothing and who could, to say the least, not be proud of making them known. Moreover the fact that it was known that all answers were to be regarded as confidential and that no names were to be disclosed would tend to make the unsuccessful men as ready to answer as the successful.

It is thought that the causes responsible for the fact that more men did not answer were: the disinclination of a busy man to answer a set of printed questions that he is not obliged to answer; the natural reluctance, even though there were assurances that replies would be regarded as confidential, to answer questions of so personal a nature; the fact that many of the men probably had not kept accurate enough accounts since graduation to have the material necessary for answering. That this last reason was a considerable factor is indicated by the fact that a much larger proportion of answers were received from graduates of recent standing than from those who had been out several years. That is to say, the recent graduates could remember what they had been earning, whereas the older graduates could not.

The following is a table of average earnings made up from the answers received.

	1st yr. out.	2d yr. out.	3d yr. out.	4th yr. out.	5th yr. out.
General . . . . .	\$664 (694)	\$1110 (609)	\$1645 (497)	\$2150 (411)	\$2668 (317)
New England . . . . .	524 (269)	908 (229)	1368 (176)	1807 (164)	2341 (106)
Outside New England . .	753 (425)	1232 (380)	1797 (321)	2378 (247)	2832 (211)
East of Mississippi R. .	664 (611)	1128 (535)	1671 (439)	2215 (361)	2723 (284)
West of Mississippi R. .	808 (77)	1206 (68)	1842 (52)	2382 (43)	3170 (28)
Cities of over 100,000 . .	643 (591)	1093 (522)	1645 (372)	2171 (360)	2743 (231)
Cities of less than 100,000	783 (103)	1210 (87)	1736 (68)	2001 (51)	2552 (35)
Boston . . . . .	495 (188)	922 (156)	1421 (123)	1865 (106)	2495 (78)
New York . . . . .	720 (142)	1243 (133)	1918 (98)	2261 (81)	3109 (55)

	6th yr. out.	7th yr. out.	8th yr. out.	9th yr. out.	10th yr. out.
General . . . . .	\$3118 (249)	\$3909 (162)	\$4426 (112)	\$5321 (62)	\$5325 (40)
New England . . . . .	3062 (93)	3694 (59)	3902 (44)		
Outside New England . .	3216 (156)	4031 (103)	4765 (68)		
East of Mississippi R. .	3242 (217)	3982 (143)	4540 (101)		
West of Mississippi R. .	3445 (28)	4572 (16)	4010 (10)		
Cities of over 100,000 . .	3140 (218)	4025 (117)	4551 (98)		
Cities of less than 100,000	3290 (31)	3950 (22)	3550 (14)		
Boston . . . . .	3088 (67)	3897 (45)	4266 (33)		
New York . . . . .	3457 (45)	3834 (25)	4210 (21)		

The first line, headed "general," shows the average earnings each year after graduation of all the men answering the questions. The figures in parenthesis indicate the number of men on which the average is based. The figures seem to show that the average earnings range from \$664 for the first year to \$5000 for the tenth year, the earnings increasing pretty regularly at the rate of about \$500 a year. The succeeding lines indicate the earnings by sections of the country, by size of cities, and by particular cities.

On comparison of New England with all the field outside of New England, it is seen that the earnings in New England are less to begin with and less throughout. This would perhaps be expected since New England is more crowded with well-trained lawyers than almost any other part of the country and the competition is consequently keener there.

On comparison of the territory east of the Mississippi with that west of the Mississippi much the same result is reached, and doubtless for the same reason. The relative increase in the eighth year of the earnings of men east of the Mississippi over those of men west of the Mississippi cannot be relied on owing to the fact that the figures given for that year for men west of the Mississippi is based upon only ten answers.

On comparison of cities of over 100,000 population with those of less than 100,000, it appears that for the first three years the earnings are larger in the small city, but that after that the reverse is in the main true.

On comparison of Boston with New York, Boston seems to be distinctly behind for the first five or six years. After that there seems to be little difference.

Many more men answered the question calling for general suggestions as to location and conditions of practice than the

question as to earnings, and for this reason and because such answers have a more personal character than mere figures, they are perhaps of greater interest. As to the matter of location there are all kinds of suggestions as to the relative advantages of different sections of the country, of large and small cities and of particular cities.

There are many who advocate settling in the South or West, on the ground that as competition is less keen there a beginner will have a better chance to get started on less capital and less backing, and will make faster progress. Of the South one ardent supporter writes: "There is no section which affords better opportunities to an educated and well-fitted man than the South does. What we need here is leadership, and the country is willing to pay for it. We are in the midst of a great prosperity and the promise of the future is splendid. Our industrial growth in the next twenty years will undoubtedly exceed that of any other section of the United States. The South to-day is a commercial and democratic South and one need not hesitate to cast his lot here simply because he is not a Southerner by birth." That the opinion of the opportunities in the West and South is not uniformly favorable is shown by the following comment: "I travelled quite thoroughly over the West and South to see if they offered greater opportunities than the East, and came to the conclusion that the East is the better place, especially if the student has lived in the Eastern States and is acquainted there."

There is much discussion as to the advisability of settling in a large or in a small place. The argument in favor of the small place seems to be that a man can more easily make a living there from the start, and that if he possesses only fair ability, that ability will count for more. As one man states it: "If a man has had only mediocre success at the Law School and has maintained a stand of less than B and has no family or business connections which he may count upon to bring him a practice, I think he makes a mistake in entering practice in a big city. Such a man should in my opinion locate in some small city where he can make himself a power in the community, even without the legal ability which would bring him into the front rank of lawyers in New York, Philadelphia, Chicago, or Boston. He can accomplish much more with his life in a smaller place and do much more good to the community." An-

other man says: "Chances in a small or medium sized city are better than is generally supposed. Opportunities in the large cities are overrated. I have a classmate who felt obliged from motives of filial duty to settle in a town of about 8000. His friends were inclined to be sorry for him, but so far as I can ascertain he has done better than any of the rest of us." The argument in favor of the big city is put in these ways: "I should unhesitatingly say that those who have made the greatest success and who have gone the furthest are those who have started practice in large cities." — "In a small place there is danger of vegetating in commonplace comfort." — "Of the men I have known well in my class those in the large city have developed fastest in the way of legal ability *and* independence of thought and action."

Owing to the relatively large proportion of men who have located in Boston and New York, there are many comments on these places. As to Boston, the weight of comment seems to be rather unfavorable. One explanation of this may be that the number of well-educated lawyers there is relatively large. As one man puts it: "Boston is overcrowded with well-trained lawyers. A man should go to a place where his Harvard Law School education will be a greater asset to him." Another: "After practising for eight years in Boston I am constrained to say that many men make the mistake of undertaking practice there largely because it is easier to stay in the vicinity of Cambridge than to seek opportunities elsewhere. I doubt if I should advise any man to locate in Boston unless through friendships or otherwise he had some decided reason for preferring to begin there." But even Boston is not without its advocates, as is shown by the following mildly optimistic statement: "There is a conservatism among Boston people which makes it difficult for an unknown lawyer to secure clients. On the other hand this very conservatism is a protection to the Boston lawyer after he has secured his clients, because of the tendency of clients not to make sudden changes."—"A young man beginning in Boston cannot expect large returns without unusual ability or opportunity. On the other hand, it has been my experience that bench and bar are such that the law is a dignified and honorable profession. I think that a man may feel fairly confident that in time what talent he has will be appreciated."

As to New York, the opinion of many men seems to be that unless

a man has connections there, or unless he has unusual ability and health he had better keep away. This is expressed in various ways. One man says: "Don't go to New York unless possessed of unusual qualifications and willing to make any and every sacrifice for success." Another: "By no means practise in New York unless you are confident of a capacity to excel most of your fellows." The following is from a very successful graduate: "Success depends upon the hardest kind of work, upon tremendous vitality and constitution. Personally I should prefer less financial success in a smaller city with more chance to lead a healthier life." The advice of a member of a Harvard Law School Committee formed in New York for the purpose of helping Harvard graduates to positions is worth quoting: "I suggest that men do not come to New York unless they are of exceptional ability or have some definite plan for developing a practice here which has the approval of some one familiar with conditions."

But here, too, there are men who take a more optimistic view of the situation, as, for example, a successful graduate who writes "New York's the place — almost every man in my class is doing well, and I began with absolutely nothing three years ago." The thing that appeals to many about New York is the very bigness and hardness of it all. As one man puts it: "Outside of work, the life might not appeal to many who have been brought up in smaller communities. In fact, there is n't such a thing as 'living' here in the same way that it is found in other places. But if one likes his work and enjoys the few friends he has time to see occasionally and gets satisfaction from merely *being in touch with big things and big business*, he has no excuse for not being happy."

The most valuable suggestion as to location is that given by a surprisingly large number of men. It is to "locate where you want to live." This is expressed in various ways. As one man puts it: "Decide where in view of all the circumstances you want to have your life work: then go there and fight it out." Another vividly states it thus: "'T aint where a hog roots, but how he does it that counts. Go where there are many people and hustle." Another says: "One can fail anywhere and it will be equally unpleasant. On the other hand, if one succeeds it is worth while that it should be in a place where success can be enjoyed. Let everyone choose the place where success would mean the most to him. Wherever

that may be, he can rest assured that there is no lack of opportunity if he will play harder than the next man." Another: "Select the place where you want to live. A man who has done fair work at the Harvard Law School can make a living anywhere. The thing to determine then is what are you looking for in life, where can you be most happy and do the most good."

As to the question of "conditions of practice" or the arrangement under which one is to start practice, there is first of all the problem whether one shall start independently or become connected with some established firm. If a man has no capital, he has not much choice in the matter, as it would be next to impossible for him to begin independently, except possibly in some small place where he was well known. But even if he has a small amount of capital, by far the greater number of men would advise his beginning with some established firm. The advantages of such a course are obvious. A man just out of a law school knows little about actual practice and needs an apprenticeship whereby he may learn the ropes of practice and become familiar with procedure and with office management. As one man says, it is as necessary for him to receive office training as it is for a medical student to go into a hospital.

Assuming that one decides to enter an office, the question is what kind of an office. The most important thing to consider is the character of the heads of the firm. No pains should be spared in ascertaining this. As to whether a large or a small firm is the more desirable there is much discussion. The advantages of the large office seem to be that as a rule one there comes in contact with big things and sees legal work handled in the most efficient manner. He is also apt to acquire a certain amount of prestige by being connected with a large well-known firm which will be of use to him when he practices for himself. The danger in a large office is that the work may be so highly specialized that the beginner will be put at one narrow kind of work only and may not get the general experience and training that he needs. In a small office there is the advantage of coming in closer contact with the heads of the firm and of having a responsible part in a great variety of work. The ideal combination seems to be a large firm which gives its assistants responsibility and variety of work.

Ordinarily a man should not go into an office with the idea of



remaining there permanently. He would not of course want to remain there permanently unless he were to be taken into the firm, and the chances of a man being made a member as a general rule are "chances" much too speculative to be counted upon. To be made a member of a firm a man must either be able to bring a great deal of business or must by his services make himself indispensable. The question for the average man then, is simply how soon he had better end his apprenticeship and begin practice independently, in partnership with men of his own time, or in some firm where there is a more immediate prospect of becoming a member. The great weight of opinion is that he should not remain as an assistant a minute longer than is necessary to acquire the experience in practice and procedure that he is after. As one man forcibly puts it: "Get the discipline and office experience under a successful firm. Then strike out for yourself as soon as the good Lord will let you." Just when the necessary experience will be acquired depends of course to a great extent upon the kind of office that a man has been in and the kind of training that he has been receiving. Ordinarily two years is given as the maximum. It is urged that if he remains longer than that he is not only wasting his time, but is "in danger of losing his independence of thought and action." As one man says: "Too long a time spent as an assistant tends to remove the sense of individual effort and of responsibility. The sense of standing on one's own feet is stimulating."

In conclusion it might be well to remind the reader, obvious though it must seem, that each individual has got to work out the problem for himself in the light of the conditions and circumstances surrounding his particular case. Let him remember that far more important than any question of location or method of practice are the personal qualities that he brings into the fight. Let him be scrupulously honest and upright, prompt in doing the particular piece of work, satisfied to give only the best that is in him to each job that he undertakes, and determined to succeed, and it will be an unusual combination of circumstances that can down him.

*Richard Ames.*